

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

In the matter of a subpoena issued
with regard to

18-115-04

No. 18-mc-49


**ORDER COMMANDING
FACEBOOK, INC. NOT TO
NOTIFY ANY PERSON OF THE
EXISTENCE OF A SUBPOENA**

The United States has submitted an application pursuant to 18 U.S.C. § 2705(b), requesting that the Court issue an order commanding Facebook, Inc., an electronic communication service provider and/or a remote computing service, not to notify any person (including the subscribers and customers of the account(s) listed in the subpoena of the existence of the attached subpoena until further order of the Court.

The Court determines that there is reason to believe that notification of the existence of the attached subpoena will seriously jeopardize the investigation, including by giving targets an opportunity to flee, destroy or tamper with evidence, change patterns of behavior, or intimidate potential witnesses. See 18 U.S.C. § 2705(b).

IT IS THEREFORE ORDERED under 18 U.S.C. § 2705(b) that Facebook, Inc. shall not disclose the existence of the attached subpoena, or this order of the Court, to the listed subscriber or to any other person, for a period of 90 days, subject to renewal, or until otherwise authorized to do so by the Court, except that Facebook, Inc. may disclose the attached subpoena to its attorney for the purpose of receiving legal advice.

Dated: 10-29-18


VERONICA L. DUFFY
United States Magistrate Judge